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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

CASE NO. CR02-280-TSZ

10 Plaintiff,

PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

11 v.

12 KENNETH R. MARTINSON,

13 Defendant.
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15 INTRODUCTION

16 I conducted a hearing on alleged violations of supervised release in this case on March
17 10, 2006. The United States was represented by Sarah Vogel. The defendant was
18 represented by Brian Tsuchida.. The proceedings were recorded on disk.
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20 CONVICTION AND SENTENCE

21 Defendant had been convicted of Manufacturing Marijuana on or about April 11,
22 2003. The Hon. Thomas S. Zilly of this Court sentenced Defendant to one month of
23 custody followed by 6 months of home confinement.

24 The conditions of supervised release included requirements that defendant comply
25 with the standard 13 conditions.

26 DEFENDANT'S ADMISSION

27 USPO Brian Facklan alleged that Defendant violated the conditions of supervised
28

1 release in one respect:

- 2 (1) Using cocaine on or before January 10, 2006, in violation of standard
3 condition number 7.

4 I advised the defendant of these charges and of his constitutional rights. At today's hearing
5 Defendant admitted the violation, waived any hearing as to whether it occurred, and
6 consented to having the matter set for a disposition hearing before the Hon. Thomas S.
7 Zilly.

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9 RECOMMENDED FINDINGS AND CONCLUSIONS

10 Based upon the foregoing, I recommend the court find that Defendant has violated the
11 conditions of his supervised release as alleged; and set the matter for a disposition hearing.

12 Defendant has been detained pending a final determination by the court.

13 DATED this 13 day of March, 2006.

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16 MONICA J. BENTON
17 United States Magistrate Judge
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19 cc: Sentencing Judge : Hon. Thomas S. Zilly
20 Assistant U.S. Attorney : Sarah Vogel
21 Defense Attorney : Brian Tsuchida
22 U. S. Probation Officer : Brian Facklan
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